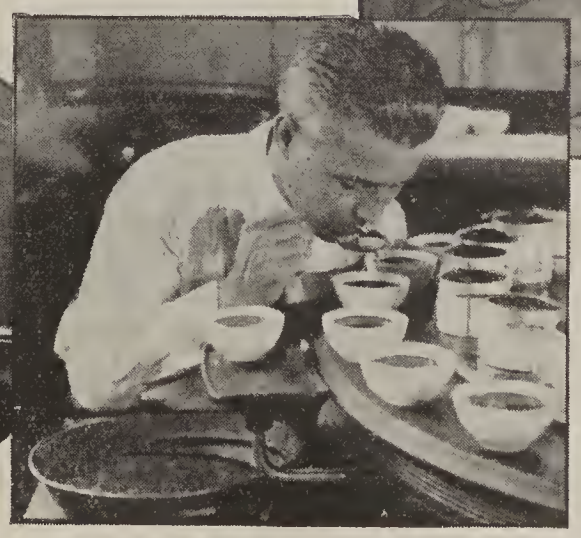
Policing Foods *for* Humans *and* Animals

High points of the work done in 1936 by the Federal Food and Drug Administration to protect consumers against adulterated and misbranded foods.



1. All interstate shipments of foods are subject to inspection by Food and Drug officials for edibility and wholesomeness. An inspector here is examining a poultry shipment.
2. Sample bags of imported coffee, on the docks, are withdrawn for inspection for short weight and impurities.
3. Every pound of tea entering the United States is compared with standard samples for purity, quality, and fitness for consumption.
4. Imports of milk and cream must have been produced under prescribed sanitary conditions and meet specified standards before they can be sold.

ONE CENT and six mills is the price each consumer paid last year to the Federal Government for standing guard against misbranded and adulterated foods and drugs, injurious or ineffective insecticides, below standard imports of milk and cream and tea, and mislabeled caustic poisons.

OFFICIAL GUARDIAN of consumers against these risks to health and pocketbooks is the Food and Drug Administration. Its assignments of duties come from Congress in the form of six acts, passed at various times during the past 30 years.

TOP OF THE list stands the Food and Drugs Act, passed in 1906, which prohibits interstate commerce in and importation of adulterated or misbranded manufactured or natural foods, beverages, stock foods, remedies, drugs, and medicines. The amendment of July 8, 1930, gives the Secretary of Agriculture authority to set up a legal standard of minimum quality, condition and fill of container for each class of canned food, except canned meat products and canned milk, and to prescribe clearly informative labeling on each product not meeting this quality standard. Other acts include:

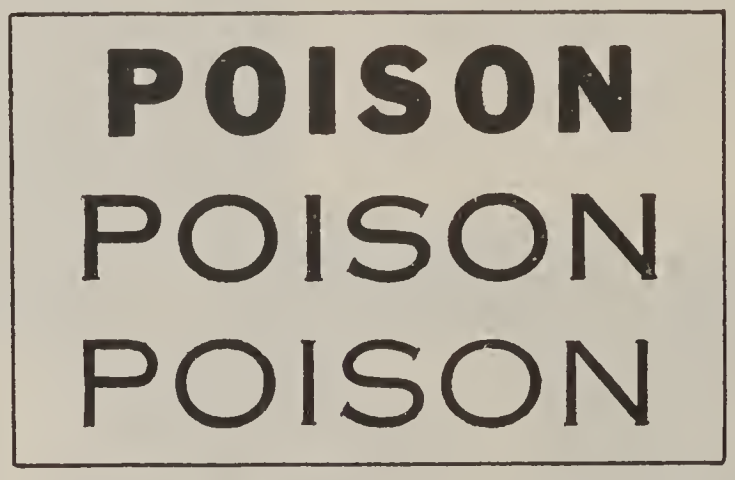
THE INSECTICIDE Act aims to protect farmers, fruit growers, market gardeners, stock and poultry raisers, householders, and others from buying and using insecticides and fungicides that fall below the strength claimed for them, that will not accomplish the results promised, or that are injurious to plants.

THE IMPORT MILK Act prohibits the entry into the United States of milk and cream that have not been produced under prescribed sanitary conditions from healthy herds, or that do not meet certain specified standards at the time of entry.

THE TEA Act provides for the examination of all tea offered for entry into the United States and the admission of only such tea as meets the standards of quality, purity, and fitness for consumption set by the Government.

THE CAUSTIC Poison Act, by requiring certain labeling, is aimed to safeguard the household against accidental injury from ammonia, lye, carbolic acid, and certain other dangerous substances commonly used in the home.

THE NAVAL Stores Act establishes standards for rosin and turpentine, authorizes the Department to examine, analyze, and classify or grade them upon the request and at the expense of interested parties, and is designed to prevent deception in transactions in these commodities.



To safeguard consumers from accidental injury from lye, carbolic acid, household ammonia, and other dangerous substances, the Caustic Poison Act provides that a label or sticker bearing the word "Poison" must appear conspicuously on all containers.

WITH its limited field service and its small appropriation of about $2,000,000, how does the Food and Drug Administration supervise this traffic and administer the various acts?

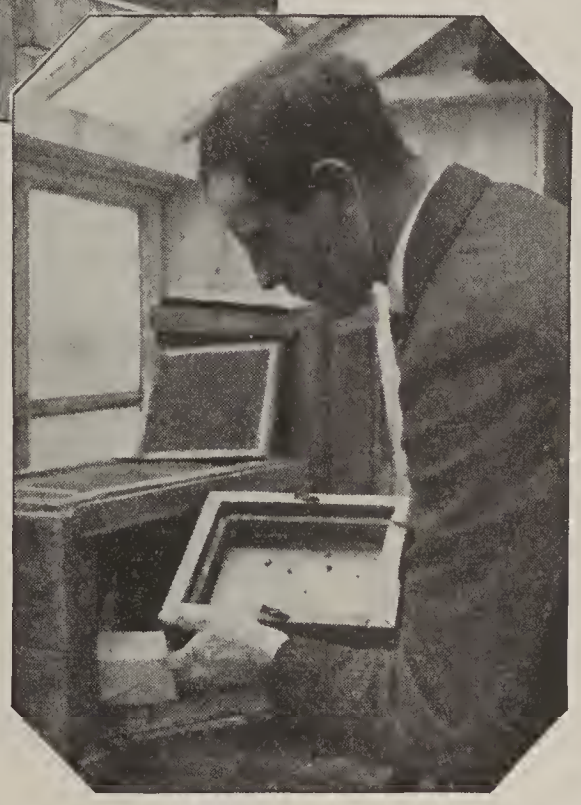
FIRST, there is an administrative and technical staff in Washington, with such specialists as chemists, bacteriologists, physicians, microscopists, and pharmacologists, which conducts investigations, solves the more difficult technological problems, and recommends methods for attacking regulatory problems. District headquarters are maintained in New York, Chicago, and San Francisco to supervise eastern, central, and western inspection districts. A responsible administrative officer directs the work of each district.

SPOTTED around the country are 16 branch stations located in leading commercial cities in each district. Each station, manned by a force of chemists and inspectors, is responsible for seeing that the six acts enforced by the Administration are complied with by the manufacturers, dealers, and importers who trade within a specified territory tributary to the city in which the station is located.

FACTORY INSPECTION, by Food and Drug inspectors, under terms of the act, is not compulsory. Some refuse outright to permit inspection. Other manufacturers welcome it. The majority of American food and drug manufacturers are doing an honest and legitimate business. Their cooperation allows the Food and Drug Administration to concentrate on the small proportion of manufacturers who are deliberately, negligently, or unknowingly violating the law in some respect.

IF A FOOD or drug product is under suspicion, and inspection of the factory where it is manufactured is denied, samples on the market are collected by the inspector. He forwards them to the station, which determines by analysis whether or not the product is adulterated or misbranded.

FOOD is adulterated: (a) if it contains an added poison which may render it injurious to health (such as, a fruit with excess residue spray); (b) if filthy or decayed (such as, a tomato catsup made from rotten tomatoes); (c) if additions have been made to lower the quality or strength (such as, the addition of water to oysters); (d) if any substitution has been made (such as, olive oil which is really



Largest of the insecticide-testing farms, maintained by the Department of Agriculture to aid in the enforcement of the Insecticide Act, is at Beltsville, Md. Here field and greenhouse tests are made to determine the effectiveness of insecticide preparations. In addition samples are analyzed chemically to determine whether they comply with this act. Any false or misleading claim as to the efficacy of an insecticide constitutes a violation of the law.

Roaches are raised in the Beltsville experimental laboratory to be used as subjects in testing preparations sold for their extermination. Checking on the claims of insecticide preparations means money saved to householders.

and fruit acid with a trivial amount of fruit); (b) if its label bears any false or misleading statement (such as, net weight which grossly overstates the amount of the contents); (c) if it is in package form and the quantity of contents is not plainly stated on the label; (d) if canned foods--except canned meats and canned milk--fall below the minimum standard and if the label does not indicate that the food is below such standard (such as, overmature canned peas or undercolored canned tomatoes).

WHEN a product is found to be contrary to law, the Food and Drug Administration reports its findings through the Secretary of Agriculture to the Department of Justice recommending either seizure of the offending goods, prosecution of the responsible shipper, or both as the facts warrant.

WHEN seizure is recommended the United States Attorney in the district where the goods are located is notified. He reports the facts to the United States District Court and procures the issuance of a so-called libel which authorizes the United States Marshal to take the goods into custody.

partly tea-seed oil); (e) if any valuable ingredient has been removed (such as, cheese sold as whole milk cheese but has been made from milk from which some of the butterfat has been removed); (f) if it has been treated to conceal damage or inferiority (such as, eggless macaroni products colored yellow to appear as egg noodles).

PROVISIONS of the law relating to food also apply to confectionery. The law specifically prohibits the use of alcohol in confectionery.

MISBRANDING constitutes another violation. Food is misbranded: (a) if it is an imitation and not clearly labeled as such or is sold under the name of another article (such as, a so-called jam which contains not the approximately equal parts of fruit and sugar that the housewife expects, but a mixture of pectin, sugar,

A MANUFACTURER of such a product may elect to contest the charges; if so, the product then goes on trial. If the court upholds the Food and Drug Administration, the product may, in the discretion of the court, either be destroyed or returned to the owner for relabeling or for sorting out and destroying under Government supervision any adulterated portions, the owner paying the cost of the court proceedings.

MANY actions may be taken against the product in different parts of the country at the same time. This weapon of the Food and Drug Administration is considered the most effective means of protecting the public because it has the effect of "stopping the bullet before it reaches the victim"; that is, it stops the adulterated or misbranded product in the channels of distribution before reaching the consumer.

CRIMINAL ACTION against the shipper is also instituted whenever the situation demands it. The two types of action, however, represent entirely separate proceedings. Seizure occurs in the jurisdiction where the goods are found; prosecution in the manufacturer's home district.

POLICING every package of every product that comes within Federal jurisdiction obviously would require an army of Food and Drug inspectors. Such minute check-up is not needed where violations of laws are the exception rather than the rule. With its limited staff, the Food and Drug Administration concentrates each year on special problems, throws its searchlight on them, then moves on to other major sore spots.

ADULTERATION of olive oil with tea-seed oil was one such problem scrutinized last year. Tea-seed oil is obtained from the nut or seed of a close relative of the beverage tea plant. Produced in large quantities in the Orient, it has been imported for years for use in the paint and textile industries. More recently it was discovered that through a refining process this oil had edible quality and was suited for food purposes. Chemical tests show its constituents are much like those of olive oil. Tea-seed oil is tasteless, so that it is difficult to detect, when combined with olive oil.

MOUNTING IMPORTATIONS of tea-seed oil caused eyebrow raising in the Food and Drug Administration. Such quantities, officials believed, could not be intended solely for industrial purposes. They were confronted with a nice chemical problem, for no known method existed for detecting tea-seed oil in olive oil. So they worked out a method in the laboratory. Then they investigated and found large shipments, labeled as pure olive oil and moving in interstate commerce, were in fact from one-quarter to three-

The Naval Stores Act, one of the six laws enforced by the Food and Drug Administration, establishes standards for all rosin and turpentine in interstate or foreign commerce. . . . (Top) Incisions are made in the trunks of various types of pine trees to get the gum from which turpentine and rosin come. . . . (Below) Originally a primitive southern plantation industry, rosin and turpentine stills are frequently found near small rivers to facilitate transportation to large southern ports from which the products are shipped to industrial cities or are exported. The gum is poured from the barrels into the vat and the distilling process separates it into rosin and turpentine.

Rosin, used for sizing paper, for soap, varnish, printing ink, rubber goods, and other consumer products, is the hard residue left after distilling off the volatile oil of turpentine. Great quantities here are awaiting shipment north.

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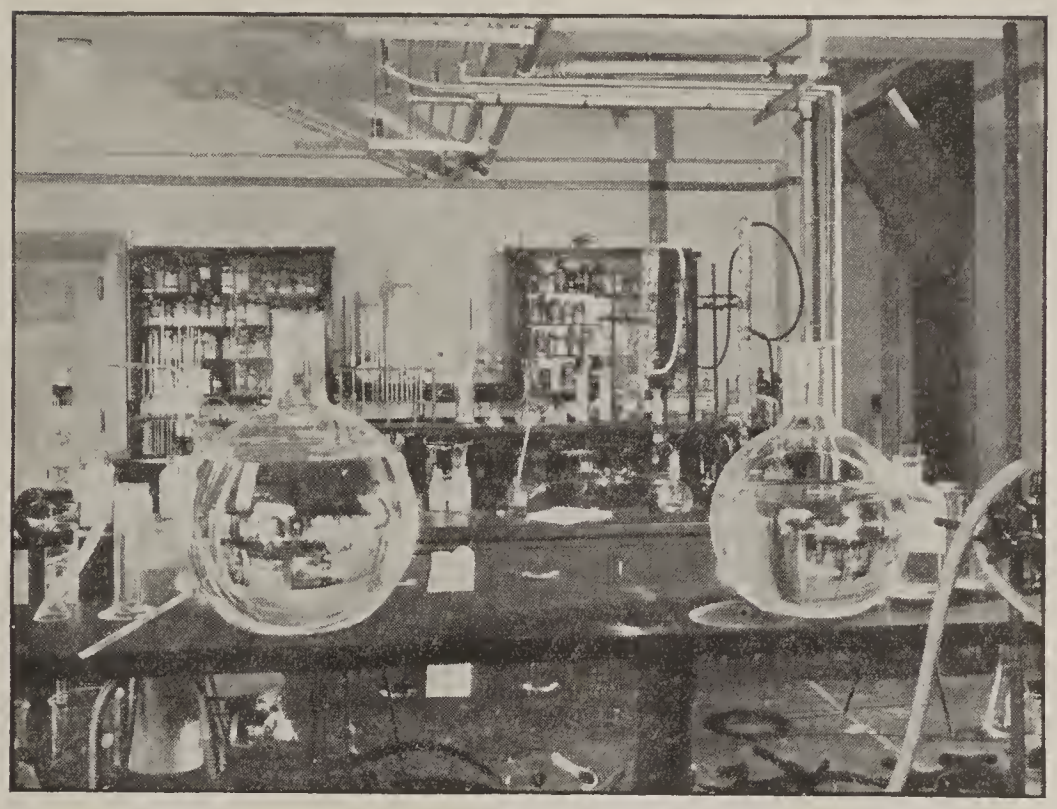
quarters tea-seed oil. A large number of seizures and criminal prosecutions followed these discoveries. The charge of Food and Drug officials was not against the edibility of such mixtures but against the adulteration and misbranding of them in such a way as to produce a major financial cheat.



One of the experimental laboratories of the Drug Division of the Food and Drug Administration in Washington, D. C., where drugs are tested for purity and strength, and efficacy of claims.

LAXATIVE health bread recently was presented to the public. One concern, organized in the spring of 1935, began marketing a mixture of flour, bran, and between 10 and 12 percent of phenolphthalein, which is a widely used cheap and common laxative, often met with in patent medicines. The mere presence of this drug in bread, which is a staple food product, was wrong as it added a deleterious ingredient and so adulterated the bread. Nevertheless, this mixture was recommended to bakers for addition to their regular bread mix. The resulting bread was to be marked as a "Laxative Health Bread." As the basic character of bread was changed by the introduction of the mixture the product was not even bread. Federal Food and Drug agents seized and destroyed shipments amounting to 587 packages of this product. When criminal prosecutions were instituted against the concern, the court imposed a fine of $900.

AS LONG ago as 1912, the Department announced that the addition of water to canned tomatoes was wholly unnecessary and therefore an adulteration. When canned tomato juice became a popular food product many years later, some canners employed a process which involved heating tomato juice with open steam coils causing a condensation of steam which resulted in the dilution of the product. Analysis made by Food and Drug chemists proved that there was a material dilution of the tomato juice with water which cost consumers hundreds of dollars in the course of a year. This is just as much an adulteration as the addition of water to canned tomatoes. Every year the Food and Drug officials are on guard against this drain on consumer pocketbooks. Eight seizures of this watered juice, the output of two large manufacturers, were made by agents last year.

SUBSTANDARD CANNED foods were an important item in the Food and Drug Administration's list of seizures last year. When Congress passed in 1930 the McNary-Mapes Amendment to the Food and Drugs Act it authorized the Food and Drug Administration to set up minimum standards of quality condition and fill of container. Under this provision such minimum standards of quality and condition have been set up for canned cherries, peas, dry peas, peaches, pears, apricots, and tomatoes. Any can of these products falling below the standard prescribed by the Food and Drug Administration must bear the statement in a prescribed form, if a fruit: BELOW U. S. STANDARD--GOOD FOOD--NOT HIGH GRADE; if a vegetable: BELOW U. S. STANDARD--LOW QUALITY--BUT NOT ILLEGAL.

VARIOUS FACTORS cause cans of these foods to be classified as substandard in quality. In the case of fruits the use of water instead of sugar solution as a packing medium classes the article as substandard. The regulations provide that if the water-packed fruit

meets the minimum standard of quality in all other respects, the article can be labeled "water pack" in lieu of bearing the substandard legend. A consignment of canned pears was found last year to be water-packed and not so labeled. Six consignments of canned so-called pitted cherries were considered substandard because of excessive pits. In the case of canned peas, an excessive amount of overmature peas, among other things, shows substandard quality. In the case of tomatoes, among other things, poor color or the presence of more than a trace of peel pushes the product down into this class. Thirty-six seizures of substandard canned peas not so labeled were made last year and 17 consignments of substandard canned tomatoes similarly misbranded were proceeded against.

SINCE 1934, when the Sea Food Amendment to the Food and Drugs Act was passed, sea food inspection service has become part of the work of the Food and Drug Administration. It authorizes the Secretary of Agriculture, at his discretion, to grant the request of any packer of sea food for the service, at the packer's expense, of inspectors to carry out a thorough-going and continuous supervisory sanitary inspection of the establishment and to prevent the packing or preparation of sea food that is not sound and wholesome or which fails in any other respect to meet the requirements of the food law. Further amended in 1935 the Sea Food Amendment now provides that the cost of the inspection hitherto borne entirely by the packers might be shared by the Government.

IN THE FALL of 1934, some canners in the shrimp packing industry asked for this inspection. The cost of the inspection amounts to approximately one-fifth of a cent for each can of shrimp. Labels on inspected canned shrimp bear the identifying statement "Production Supervised by U. S. Food and Drug Administration."

PACKERS of canned salmon, fresh crab meat, and other sea foods have not yet taken advantage of the sea food inspection service. In the past both the salmon and crab meat industries have been penalized by numerous seizures of their products and criminal prosecutions because of the discovery of partially decomposed products in their outputs.

AN IMPORTANT PART of the work of Food and Drug agents, is the investigation of all cases of alleged food poisoning to ascertain whether or not such cases are due to foods coming under the act.

DURING the year 1936, 69 outbreaks of illness reported to have been caused by the consumption of poisonous foods were given attention. Samples of the suspected foods in 40 of the cases investigated showed upon analysis no injurious ingredient and no micro-organisms capable of causing illness. Two instances of illnesses attributed to food poisoning were later diagnosed as typhoid fever and dysentery. Other outbreaks, however, were traced directly to the consumption of contaminated cream puffs, eclairs, and cream-filled pastries made under insanitary conditions. As a result, strict regulations in several States have now been promulgated governing the manufacture and sale of such pastries.

ANIMALS, like humans, are also victims of adulterated foods and drugs. It is the business of the Food and Drug Administration to stand guard against such dangers to them. Vitamin products, bearing exaggerated claims for therapeutic value to animals and poultry, were the subject of careful scrutiny during the past year.

COD LIVER OIL, valuable source of vitamins A and D, is the most important of these products. It is estimated that more than half of the 4½ million gallons consumed each year in this country is used for animal feeding and much of it for poultry. About 95 percent of the cod liver oil used in this country is imported. Shipments offered for entry are assayed for vitamins A and D potency and lots which fail to measure up to their represented value are excluded from the country. Interstate shipments of cod liver oil are of course likewise given attention.

MANY other consumer protective measures were taken by the Food and Drug Administration in its enforcement of the Food and Drugs Act and the other five acts under its direction. Full account of these is given in the "Report of the Chief of the Food and Drug Administration, 1936." Copies may be obtained by writing to the Superintendent of Documents, Washington, D. C. Price is 5 cents.